



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/755,166   | 01/08/2001  | Tae-Young Kil        | P56256              | 3929             |
| 7590   | 08/12/2004  |                      | EXAMINER            |                  |
| Robert E. Bushnell<br>Suite 300<br>1522 K Street, N.W.<br>Washington, DC 20005 |             |                      | GELIN, JEAN ALLAND  |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2681                | S                |
| DATE MAILED: 08/12/2004  |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |
|------------------------------|------------------------|---------------------|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|                              | 09/755,166             | KIL, TAE-YOUNG      |
| <b>Examiner</b>              | <b>Art Unit</b>        |                     |
| Jean A Gelin                 | 2681                   |                     |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 May 2004.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 11-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 11-19 is/are allowed.
- 6) Claim(s) 20,21,24 and 27-29 is/are rejected.
- 7) Claim(s) 22, 23, 25, 26, 30-32 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                     | Paper No(s)/Mail Date. _____ .  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____ .                                  |

### **DETAILED ACTION**

1. This is in response to the Applicant's amendments and arguments filed on May 28, 2004 in which claims 1-10 have been canceled, claims 11 has been amended, and claims 20-32 have been added. Claims 11-32 are currently pending.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 20, 21, 24, and 27-29 are rejected under 35 U.S.C. 102(a) as being anticipated by Ku (Korean Pub. 2000-0061038).

Regarding claim 20, Ku teaches a public/private mobile communication system for providing a public/private mobile communication service in association with a public land mobile network (PLMN) including a plurality of mobile stations (MSs), at least one mobile switching center (MSC), a plurality of public mobile communication network's base station controllers (BSCs) connected to the mobile switching center (MSC), and a plurality of public mobile communication network's base station transceiver subsystems (BTSs) connected to each of the base station controllers (BSCs), for forming a public-only cell area (fig. 2, page 7, line 12 to page 8, line 5), the system comprising: a public/private communication service unit (PABX/MSC) connected to a particular one of the public mobile communication network's base station controllers (BSC 24); and at

least one private base station transceiver subsystem (wireless transceiver 21) connected to the public/private communication service unit (item 25), for forming a public/private common cell area (B); wherein if a message received for a service requested by a particular one of the mobile stations (MSs) is a public mobile communication service message, the public/private communication service unit provides a path designation to transparently transmit the received message to the public mobile communication network's base station controller (BSC) connected to the public/private communication service unit (i.e., MSC discriminates whether or not the base receiving the call is public or private and routes the call accordingly, page 11 line 12 to page 12, line 27), and if the received message is a private mobile communication service message, the public/private communication service unit provides a path designation to a corresponding private mobile communication service (i.e., MSC discriminates whether or not the base receiving the call is public or private and routes the call accordingly, page 11 line 12 to page 12, line 27).

Regarding claim 21, Ku teaches wherein the public/private communication service unit comprises: a call manager for determining whether a message received for a service requested by a particular one of the mobile stations (MSs) is a public mobile communication service message or a private mobile communication service message, and providing the path designation according to the determination result (a processor within PABX/MSC, call manager, discriminates whether or not the base receiving the call is public or private and routes the call accordingly, page 11 line 12 to page 12, line 27); and a communication path former for forming a communication path for a

corresponding service under the control of the call manager (fig. 2 illustrates various communication path).

Regarding claim 24, Ku teaches wherein the call manager further comprises a manager for maintaining and managing a mobile communication service function provided by the public/private communication service unit (inherently present in page 14, lines 1-10).

Regarding claim 27, Ku teaches wherein the public/private communication service unit is connected to a public switched telephone network (PSTN 28 of fig. 2)

Regarding claim 29, Ku teaches registering a location of the mobile station so that the public and private mobile communication can be provided (page 12, lines 13-28).

#### ***Allowable Subject Matter***

4. Claims 11-19 are allowed for the same reasons recited in the previous Office Action, paper #8).
5. Claims 22, 23, 25, 26, and 30-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

6. Applicant's arguments with respect to claims 20, 21, 24, and 27-29 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A Gelin whose telephone number is (703) 305-4847. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on (703) 308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEAN GELIN  
PRIMARY EXAMINER

JGelin  
August 11, 2004

*jean Alain gelin*